THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO.10315 of 2006

25th May 2006

Between:

A.V.Nagasuryakantam, W/o.Pattabhiramayya, 65 years, Narinimaraka, Elemanchili Mandal, West Godavari District.

...PETITIONER

AND

1. The State of A.P., rep.by its Secretary, Endowments Department, Secretariat Buildings, Hyderabad.

And two others.

...RESPONDENTS

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ORDER:

The petitioner states that she is lessee in respect of Ac.1.73 cents of land belonging to the third respondent/Devasthanam for the past several years. She challenges the auction notice dated 11.05.2006 issued by the Devasthanam for the said land and other items of land belonging to it. The petitioner states that she is entitled to be treated as a landless poor and continue as a lessee.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the Devasthanam.

As of now, the petitioner is not certified and recognized as landless poor in terms of the A.P.Charitable and Hindu Religious Institutions and Endowments Act, 1987 and the Rules made there under. The Devasthanam is under obligation to grant leasehold rights only after conducting public auction. Through the impugned auction

notice, as many as six (6) items are sought to be leased out through the process of auction and no exception can be taken.

So far as the petitioner is concerned, her interest can be protected by directing that in case she is willing to pay the lease amount, which is offered by the highest bidder for that item, she can be granted fresh lease on par with others.

The Writ Petition is accordingly disposed of. There shall be no order as to costs.

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(L.NARASIMHA REDDY, J)

25th May 2006

Note: CC by tomorrow

B/O

RRB

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